

**AKIN GUMP STRAUSS HAUER & FELD LLP**  
REGINALD D. STEER (SBN 056324)  
rsteer@akingump.com  
ERIC RUEHE (SBN 284568)  
eruehe@akingump.com  
580 California Street, Suite 1500  
San Francisco, CA 94104  
Telephone: 415-765-9500  
Fax: 415-765-9501

Attorneys for Defendant Avenue Capital Management II, L.P.

[Additional Counsel on Signature Page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

KEITH THOMAS, RICHARD HAYES, HERB SMITH, and OKLAHOMA POLICE PENSION & RETIREMENT SYSTEM,

## Plaintiffs.

V.

MAGNACHIP SEMICONDUCTOR CORP. SANG PARK, TAE YOUNG HWANG, MARGARET SAKAI, R. DOUGLAS NORBY, ILBOK LEE, NADER TAVAKOLI, RANDAL KLEIN, MICHAEL ELKINS, AVENUE CAPITAL MANAGEMENT II, L.P., BARCLAYS CAPITAL INC., DEUTSCHE BANK SECURITIES INC., CITIGROUP GLOBAL MARKETS INC., UBS SECURITIES LLC and NEEDHAM & COMPANY, LLC.

### Defendants.

CASE NO.: 3:14-cv-01160-JST

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING DEFENDANT  
AVENUE CAPITAL  
MANAGEMENT II, L.P.'S TIME TO  
ANSWER THIRD AMENDED  
COMPLAINT**

**WHEREAS**, on March 4, 2016, this Court granted in part and denied in part Defendant Avenue Capital Management II, L.P. (“Avenue”)’s motion to dismiss the Third Amended Complaint (“TAC”) filed by Plaintiffs (ECF No. 194);

**WHEREAS**, pursuant to Federal Rule of Civil Procedure 12(a)(4)(A), Avenue's deadline for filing its Answer to the TAC is March 21, 2016;

**STIPULATION AND ~~PROPOSED~~ ORDER EXTENDING DEFENDANT AVENUE CAPITAL MANAGEMENT II, L.P.'S TIME TO ANSWER THIRD AMENDED COMPLAINT**

1                   **WHEREAS**, Avenue Capital has requested and Plaintiffs have agreed to extend,  
 2 by 30 days, the time within which Avenue Capital's Answer is due;

3                   **WHEREAS**, such an extension of time will not alter the date of any event or any  
 4 deadline already fixed by Court order;

5                   **WHEREAS**, time modifications have previously been granted on five prior  
 6 occasions in this action (ECF Nos. 18, 31, 47, 68, and 85), the first two occurring before Avenue  
 7 was a party to the action;

8                   **WHEREAS**, this is the first time modification requested by any party since the  
 9 Court's order granting in part and denying in part Avenue's motion to dismiss the TAC.

10                  **IT IS THEREFORE STIPULATED THAT:**

11                  Avenue's deadline for filing its Answer to the TAC is hereby continued by 30  
 12 days to April 20, 2016.

13                  Dated: March 18, 2016

15 POMERANTZ LLP

17 /s/ Joshua B. Silverman

18 Patrick V. Dahlstrom

19 Joshua B. Silverman

20 10 South LaSalle Street, Suite 3505

21 Chicago, IL 60603

22 Telephone: (312) 377-1181

23 Facsimile: (312) 377-1184

24 [pdahlstrom@pomlaw.com](mailto:pdahlstrom@pomlaw.com)

25 [jbsilverman@pomlaw.com](mailto:jbsilverman@pomlaw.com)

26 -and-

28 POMERANTZ LLP

29 Marc I. Gross

30 Jeremy A. Lieberman

31 Michael J. Wernke

32 600 Third Avenue, 20th Floor

33 New York, NY 10016

34 Telephone: (212) 661-1100

35 Facsimile: (212) 661-8665

AKIN GUMP STRAUSS HAUER & FELD  
LLP

/s/ John C. Murphy

Michael A. Asaro

Douglass B. Maynard

Stephen M. Baldini

John C. Murphy

Sydney Spector

One Bryant Park

Bank of America Tower

New York, NY 10036

Telephone: (212) 872-1000

Fax: (212) 872-1002

[masaro@akingump.com](mailto:masaro@akingump.com)

[dmaynard@akingump.com](mailto:dmaynard@akingump.com)

[sbaldini@akingump.com](mailto:sbaldini@akingump.com)

[jmurphy@akingump.com](mailto:jmurphy@akingump.com)

[sspector@akingump.com](mailto:sspector@akingump.com)

-and-

Reginald Steer

STIPULATION AND [PROPOSED] ORDER EXTENDING DEFENDANT AVENUE CAPITAL MANAGEMENT II, L.P.'S TIME TO  
ANSWER THIRD AMENDED COMPLAINT

1 migross@pomlaw.com  
2 jalieberman@pomlaw.com  
3 mjwernke@pomlaw.com

4 *Lead Counsel for the Class*

5 Eric Ruehe  
6 580 California Street, Suite 1500  
7 San Francisco, CA 94104  
8 Telephone: 415-765-9500  
9 Fax: 415-765-9501  
10 rsteer@akingump.com  
11 eruehe@akingump.com

12 *Attorneys for Defendant Avenue Capital  
13 Management II, L.P.*

14 GLANCY PRONGAY & MURRAY LLP  
15 Lionel Z. Glancy (CSB# 134180)  
16 Robert V. Prongay (CSB# 270796)  
17 1925 Century Park East, Suite 2100  
18 Los Angeles, CA 90067  
19 Telephone: (310) 201-9150  
20 Facsimile: (310) 201-9160  
21 Email: info@glancylaw.com

22 *Liaison Counsel for the Class*

23 THE ROSEN LAW FIRM, P.A.  
24 Laurence M. Rosen, Esq. (CSB# 219683)  
25 275 Madison Avenue, 34th Floor  
26 New York, New York 10016  
27 Telephone: (212) 686-1060  
28 Fax: (212) 202-3827  
Email: lrosen@rosenlegal.com

Additional Counsel for the Class

**CERTIFICATION OF CONCURRENCE FROM OTHER PARTIES**

I, John C. Murphy, am the ECF User whose ID and password are being used to file this STIPULATION TO EXTEND DEFENDANT AVENUE CAPITAL MANAGEMENT II, L.P.'S TIME TO ANSWER THIRD AMENDED COMPLAINT PURSUANT TO LOCAL RULE 6-1(A). In compliance with Civil L.R. 5-1(i)(3), I hereby attest that the other signatory has concurred in this filing.

/s/ John C. Murphy

John C. Murphy

STIPULATION AND [PROPOSED] ORDER EXTENDING DEFENDANT AVENUE CAPITAL MANAGEMENT II, L.P.'S TIME TO ANSWER THIRD AMENDED COMPLAINT

1 IT IS SO ORDERED.  
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4 Dated: March 18, 2016



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STIPULATION AND [PROPOSED] ORDER EXTENDING DEFENDANT AVENUE CAPITAL MANAGEMENT II, L.P.'S TIME TO  
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